

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Rural Call Completion)	WC Docket No. 13-39
)	

**REPLY COMMENTS OF
WTA – ADVOCATES FOR RURAL BROADBAND**

WTA – Advocates for Rural Broadband¹ hereby submits these reply comments with respect to the Commission’s Third Further Notice of Proposed Rulemaking,² which seeks comment on how the Commission should implement the recently enacted Rural Call Completion Act.³ The new Act, which WTA fully supports, directs the Commission to “establish registration requirements and service quality standards for intermediate providers.”

WTA notes that the Commission has taken previous attempts to correct the problem of long distance phone calls being dropped by intermediary providers and hopes that the implementation of the new Act will solve this critical issue once and for all.

However, WTA is concerned about the Commission’s decision to sunset the data reporting rule and its current proposal to sunset the data recording and retention rules that have been effective in reducing the numbers of dropped and otherwise deliberately non-

¹ *WTA - Advocates for Rural Broadband* is a national trade association that represents more than 340 rural telecommunications providers offering voice, broadband, and video-related services in rural America. Its members serve some of the most rural and hard-to-serve communities in the country and are providers of last resort to those communities.

² *In the Matter of Rural Call Completion*, WC Docket No. 13-39, FCC 18-45, Second Report and Order and Third Further Notice of Proposed Rulemaking (“FNPRM”), released April 17, 2018, available at <https://www.fcc.gov/document/fcc-takes-next-steps-combat-rural-call-completion-problems>.

³ Improving Rural Call Quality and Reliability Act of 2017, Pub. L. No. 115-129 (2018).

completed calls. Sunsetting the rules without a suitable alternative monitoring and enforcement mechanism in place will only undercut the previous progress made to ensure equivalent service quality in rural and urban areas.

**THE COMMISSION SHOULD NOT SUNSET THE DATA RECORDING
AND RETENTION RULES UNTIL THE NEWLY ADOPTED RULES SHOW
THAT MORE CALLS ARE SUCCESSFULLY BEING COMPLETED**

WTA has previously stressed the importance of the call data recording, retention, and reporting rules and their role in providing effective incentives to ensure that long distance calls are completed.⁴ Specifically, WTA noted that call completion complaints decreased from 57% to 45% between the years of 2015 and 2016. This was due in significant part to the rules shining new light on the call completion performance of providers and pressuring them to install procedures that ensured calls to rural destinations were being completed.⁵ Now, the Commission proposes to sunset the recording and retention rules on the ground that the collected data “has been characterized by challenges that limit its utility for some of its intended purposes.”⁶ WTA disagrees, for the data, at the very least, provides the Commission with useful evidence regarding the extent of call completion failures.

WTA agrees with NTCA, which argued that the reduced record keeping and recording requirements of the “safe harbor” provision encourage providers to limit the number of intermediate providers used.⁷ Limiting the number of intermediate providers used to place a call greatly increases the likelihood of a call successfully reaching its

⁴ Comments of WTA – Advocates for Rural Broadband and NTCA – The Rural Broadband Association, WC 13-39, filed on Aug. 28, 2017, at 8-9.

⁵ Id.

⁶ FNPRM at ¶ 104.

⁷ Comments of NTCA – The Rural Broadband Association, WC 13-39, filed on June 4, 2017, at 6.

destination. However, the elimination of the data recording and retention rules will make it less likely that large originating providers will take advantage of the safe harbor provision, thereby encouraging the use of additional intermediate providers to the detriment of rural telephone customers who will suffer from increased dropped calls.⁸

Rather, the Commission should exercise caution and adopt a “wait and see” approach. The Commission should determine if eliminating the reporting requirement has “had any impact upon call completion, and also provide time for implementation and evaluation of the intermediate provider rules” newly adopted in this proceeding.⁹ If later inspection shows that the newly adopted rules are working and fewer calls are being dropped, only then should the Commission consider sunseting the recording and retention rules

CONCLUSION

WTA and its members remain committed to ensuring that rural Americans have voice and broadband services that are reasonably comparable to those of their urban counterparts. However, this is a mission that cannot be fulfilled if significant numbers of long distance calls to rural customers are not successfully completed. WTA urges the Commission to keep in place data recording and retention rules that have been successful in reducing rural call completion problems.

⁸ Id.

⁹ Id. at 8.

Respectfully submitted,

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